



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Norman H. Bangerter

Governor

Dee C. Hansen

Executive Director

Diane R. Nielson, Ph.D.

Division Director

355 West North Temple

3 Triad Center, Suite 350

Salt Lake City, Utah 84180-1203

801-538-5340

October 4, 1990

CERTIFIED RETURN RECEIPT REQUESTED
No. P 075 063 361

Mr. Steven E. Clyde
Clyde, Pratt & Snow
200 American Savings Plaza
77 West Second South
Salt Lake City, Utah 84101

Dear Mr. Clyde:

Re: Jumbo Mining Company, Drum Mine, M/027/007, Permit Amendment,
June 6, 1990, Heaps LG 2 & 7, Millard County, Utah

Your letter of September 24, 1990, creates the impression that your client, Jumbo Mining Company, does not understand whether or not their request for approval of a permit amendment has been denied or approved. This letter is to inform you that the Division's position is, and has been since its last correspondence concerning the permit amendment, that the permit change is denied until the Division receives evidence of your client's unencumbered right of entry for the area to be included by amendment.

The September 4 letter of your client, as well as your September 24 correspondence, provides a practical basis when taken together for beginning an informal hearing process. However, while the Division believes they understand what relief you are seeking, these documents taken together are still technically deficient to trigger an informal hearing to address the issue of denial of the permit amendment. The provisions governing informal hearings are set forth in the rules of the Division at R613-05-213, and it is important that any request for such a hearing follow these provisions. The Division believes that you are seeking the hearing concerning relief from the Division decision under R613-004-119 (permit amendments) and R613-004-120 (permit transfers).

The Division hopes to soon be able to provide a form as provided for in R613-05-214. However, such a form does not exist at this time.

Upon receipt of an appropriate pleading requesting an informal hearing concerning agency action, in this case the denial of the permit amendment, the Division will assure that your mailing certificate is adequate and set a date for the informal hearing no less

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than 10 days from that date. Feel free to review your pleading with this office's regulatory requirements as sufficient to trigger the informal process.

Sincerely,



Lowell P. Braxton
Associate Director, Mining

vb
cc: T. Mitchell
W. Hedberg
MI78/126&127